UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

TYRONE HURT, : Case No. 1:14-cv-437

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Plaintiff, : Judge Timothy S. Black

Magistrate Judge Karen L. Litkovitz

vs.

:

CENTER-OF-THE-WORLD, W.D.C.,

:

Defendant. :

DECISION AND ENTRY ADOPTING THE REPORT AND RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 2)

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on May 29, 2014 submitted a Report and Recommendations. (Doc. 2). Plaintiff did not file objections.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety. Accordingly:

- 1. Plaintiff's motion to proceed in *forma pauperis* is **DENIED**;
- 2. Plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B);

- 3. Plaintiff is declared a harassing and vexatious litigator, and is therefore **ENJOINED AND PROHIBITED** from filing any additional complaints in the Southern District of Ohio which have not first been certified as non-frivolous by an attorney in good standing in this Court or the jurisdiction in which he or she is admitted and which are accompanied by payment of the full filing fee;
- 4. The Clerk of Court is **DIRECTED** not to accept any such pleadings from Plaintiff absent compliance with the above restrictions, and is instructed to dispose of such documents accordingly;
- 5. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith, and therefore **DENIES** Plaintiff leave to appeal *in forma pauperis*. He remains free, however, to apply to proceed *in forma pauperis* in the Court of Appeals; and
- 6. This civil action is **TERMINATED**.

IT IS SO ORDERED.

Date: <u>423</u>14

United States District Judge